

REMARKS

The present amendment is filed in conjunction with the accompanying Request for Continued Examination and in response to a final Office Action, mainly February 23, 2005.

Independent claims 1 and 25 have been amended to more clearly define the present invention and more particularly define the structure of the primary and second coils as being offset, that is, eccentric, from one another with the secondary wire coils being disposed between adjoining and contiguous primary wire coils.

Dependent claims 4, 5, and 27, 28 further define the primary and second coils as being offset toward a bottom of the coil spring (claims 4, 27) or alternatively offset toward a top of the coil spring (claims 5, 28).

This structure is most clearly seen in Figures 7C-7J.

Traverse of the Examiner's rejections is made on the basis of the presently amended claims.

Claims 1-12, 15, 16, 19-34, 37, 38, and 41-45 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Balsells '638 in view of Balsells '788 or Watanabe.

With reference to claims 1 and 25, the Examiner has stated that Balsells '638 discloses a device which primary and secondary coils of different dimensional size with a secondary coils being disposed between adjoining and contiguous of primary wire coils.

The Applicant has further distinguished the present invention from the Balsells '638 by the fact that the secondary coils are non-overlapping, as is clearly described in the original specification, particularly in all of the figures.

It is evident that the Balsells '638 and '788 disclose overlapping primary and secondary coils, and accordingly provide no basis for finding a prima facie case of obviousness with regard to rejected claims.

While Watanabe in Figure 4 shows non-overlapping contiguous primary and secondary coils, there is no teaching of the coils being offset toward a top or a bottom of the coil spring, as presently claimed. A combination of Watanabe with Balsells '638 and '788 also does not provide a basis for finding obviousness under 35 USC 103(b). None of the references relied on by the Examiner teach all of the features of the structure of the present invention and accordingly a combination does not provide a prima facie case of obviousness under 35 USC 103(a).

Accordingly, the Applicant submits that the Examiner has not provided any factual basis or motivation for providing the non-overlapping contiguous offset primary and secondary wire coils now claimed by the Applicant. In addition, the Examiner has provided no reason why a person skilled in the art would find it obvious to depart from this structure of the cited art. In re Bezombes, Peyches, and Tissier, 164 USPQ 387, 391 (CCPA 1970).

In view of the fact that there is not a prima facie case for finding obviousness under 35 USC 103(a) for independent claims 1 and 25, the dependent claims 2-12, 15, 16, 19-24, 26-34, 37, 38, 41-45 rejected by the Examiner are also patentable.

Claims 13, 14, 17, 18, 35, 36, 39, and 40 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Balsells '638 and further in view of Balsells '276.

In view of the present amendment to the claims, it is also clear that the added reference, namely Balsells '276, also does not teach or suggest the structure of the

invention as presently claimed in which includes non-overlapping primary and secondary wire coils offset toward one of a bottom and a top of the coil spring.

In traverse of this rejection, the Applicant reiterates the arguments hereinabove set forth.

In view of the arguments hereinabove set forth and amendment to the claims, it is submitted that each of the claims now in the Application define patentable subject matter not anticipated by the art of record and not obvious to one skilled in this field who is aware of the references of record. Reconsideration and allowance are respectfully requested.

Respectfully submitted,



Walter A. Hackler, Reg. No. 27,792

Attorney of Record

2372 S.E. Bristol, Suite B

Newport Beach, California 92660

(949) 851-5010

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE U.S. POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED
TO: COMMISSIONER OF PATENTS, PO BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450, ON

9/29/65
(DATE SIGNED)

April 27 2005

WALTER A. HACKLER
REG. NO. 27, 792